

PATENT

Docket No. 3553-4020US1  
Express Mail Label No. EJ606951990US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jay S. Walker et al.  
Serial No : TBA  
Filed : November 18, 1999  
For : **CONDITIONAL PURCHASE OFFER MANAGEMENT SYSTEM**

Prior Appln. Serial No. 08/889,319  
Group Art Unit: 2765  
Examiner: Penny Caudle



#4  
S. Calkin  
2/23/00

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application noting the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☒ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior parent ☒ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.53, U.S. Serial No. 08/889,319, filed July 8, 1997.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
  - ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
  - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
  - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A  
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
  - the attached petition requesting consideration of this Information Disclosure Statement; and
  - the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
  - ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
  - The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_.

\_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3553-4020US1 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

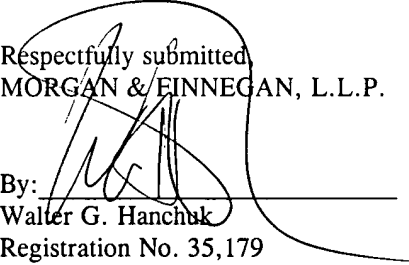
11. [X] Applicants respectfully direct the Examiner's attention to the following U.S. Patent Applications, which are commonly assigned to the assignee of the instant application, and which may be deemed to be pertinent to the instant application:

<u>Serial No.</u>	<u>Serial No.</u>	<u>Serial No.</u>	<u>Serial No.</u>	<u>Serial No.</u>
08/889,319	08/923,530	08/943,266	08/969,875	09/190,744
08/923,317	08/923,618	08/943,483	08/997,170	09/205,663
08/923,524	08/923,683	08/964,967	09/058,840	09/205,666
09/205,787	09/224,907	09/261,322		
09/205,824	09/227,169			
09/220,191	09/252,574			

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: November 18, 1999

By:   
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FORM: IDS.NY  
Rev. 4/12/95

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
3553-4020US1SERIAL NO.  
TBA**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

APPLICANT

Jay S. Walker, et al.

FILING DATE  
11/18/99GROUP ART UNIT  
TBA

Jc690 U.S. PTO  
 09/443158  
 11/18/99

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,845,265	12/1/98	Woolston			
	5,835,896	11/10/98	Fisher, et al.			
	5,832,452	11/3/98	Schneider, et al.			
	5,826,244	10/20/98	Huberman			
	5,799,285	8/25/98	Klingman			
	5,797,127	8/18/98	Jay S. Walker, et al.			
	5,794,219	8/11/98	Brown			
	5,794,207	8/11/98	Walker, et al.			
	5,758,328	5/26/98	Giovannoli			
	5,757,917	5/26/98	Rose, et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	97/46961	12/11/97	WIPO				X
	96/34356	10/31/96	WIPO				X

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Papers, Etc.)

			Fishkin, Ken, Foresight Exchange Tutorial: ( <a href="http://www.ideosphere.com/fx/docs/tutorial.html">http://www.ideosphere.com/fx/docs/tutorial.html</a> ) February 19, 1999 at pgs. 1-5				
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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	5,557,518	9/17/96	Rosen			
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		"Free Stuff Internet Site Delivers for Viewers and Advertisers Alike", Press Release of PromoNet Interactive, Inc. dated November 10, 1997.
		About Iao, selected pages downloaded from <a href="http://www.iaoauction.com">www.iaoauction.com</a> on September 8, 1997 and September 18, 1997.
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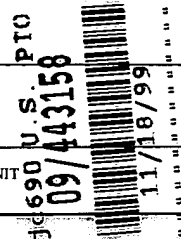
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	5,297,031	3/22/94	Guttermann, et. al.			
	5,283,731	2/1/94	Lalonde, et al.			
	5,253,165	11/12/93	Leiseca, et al.			
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	4,751,728	6/14/88	Treat			
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		Frequently Asked Questions About: Airhitch, selected pages downloaded from www.isicom.com.fr/airhitch on May 6, 1997.

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		4,553,222	11/12/85	Kurland, et al.				
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		Kelsey, J. and Schneier, B., Conditional Purchase Orders, 4 <sup>th</sup> ACM Conference on Computer and Communications Security, ACM Press, 117-124 (April 1997).						
		Bryant, Adam, "Shaking Up Air Fares' Status Quo", The New York Times, March 31, 1997.						
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		"Affinicast Enables Web Sites That Listen and Adapt to Customer Affinities", PR Newswire, December 3, 1996.						
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### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

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<b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)				APPLICANT Jay S. Walker, et al.			
				FILING DATE 11/18/99		GROUP ART UNIT TBA	
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<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>							
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<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>							
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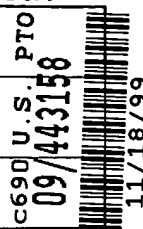
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		5,878,403	Mar. 2, 1999	DeFrancesco et al.			
		5,809,478	Sep. 15, 1998	Greco et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
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							YES NO
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)</b>							
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			Inland Mortgage Corporation, <a href="http://inlandmortgage.com/index.htm">http://inlandmortgage.com/index.htm</a> , 1998				
			The Mortgage Store, <a href="http://www.mortgagestore.com">http://www.mortgagestore.com</a> , 1998				
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	FILING DATE 11/18/99	GROUP ART UNIT TBA



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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	5,331,546	Jul. 19, 1994	Webber et al.			

### FOREIGN PATENT DOCUMENTS

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						YES	NO

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

		Resnick, Paul et al, "Roles For Electronic Brokers", <a href="http://ccs.mit.edu/CCSWP179.htm">http://ccs.mit.edu/CCSWP179.htm</a> 1997
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		Sports trade Information, <a href="http://www.sportstrade.com/infos.html">http://www.sportstrade.com/infos.html</a> , 1997
		Numismatists Online Information, <a href="http://www.numismatists.com/info.html">http://www.numismatists.com/info.html</a> , 1997
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		Kay, Alan, "Chapter 7 Future Research", 1997

EXAMINER

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### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,715,402	Feb. 3, 1998	Popolo			
	3,581,072	May 25, 1971	Nymeyer			

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						YES	NO

### OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Papers, Etc.)*

		Trade-direct, <a href="http://www.trade-direct.com">http://www.trade-direct.com</a> . 1997
		"Internet Mortgage Service Eliminates Loan Agents and Passes Commissions on to the Consumer", Yahoo! Finance, 1997
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			Rockoff, Todd E., et al., "Design of an Internet-based system for remote Dutch auctions," Internet Research: Electronic Networking Applications and Policy, Vol. 5, No. 4, pp. 10-16, 1995.				
			Franklin, Matthew K., et al., "The Design and Implementation of a Secure Auction Service," Proceedings: 1995 IEEE Symposium on Security and Privacy, pp. 2-14, 1995.				
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### OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Papers, Etc.)*


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